

**Summary of HB 354 -
Equal Access for Deaf and Hard of Hearing Students**

HB 354 is intended to do 3 things:

- 1) **Establish Standards for sign language interpreters and for teachers who provide direct instruction in sign language.** The Bill does not stipulate what those standards are; it simply says the standards will be established by the Board of Public Education. Public input will be critical when those standards are developed, but for now HB 354 just intends to set the stage for those standards to be developed. HB 354 will not require regular education teachers to learn sign, just teachers of the deaf or folks who don't use the sign language interpreters when they teach deaf kids. Currently sign language interpreters are the only school personnel working with our children who do not have to provide some sort of quality assurance: teachers are certified, Therapists (Occupational, Physical, Speech) are Licensed, Administrators are certified, Paraprofessionals including classroom and special education aides are tested or must show competence...but currently in Montana ANYONE can claim to be an interpreter and know sign language.
- 2) **Have Montana School for the Deaf and Blind hire 6 more Outreach Consultants who have training or experience in educating deaf and hard of hearing students, to serve deaf and hard of hearing kids from birth to high school, around the state in their home communities including schools, homes, daycares, and private schools.** This Bill is intended to provide resources to rural schools, at no additional cost to those schools, to assist them in providing appropriate services (Free Appropriate Public Education or "FAPE") to the deaf and hard of hearing students they are already serving. Hiring 6 more Outreach Consultants would provide a total of 8 consultants for deaf and hard of hearing to serve children across the State. In 2005 the Office of Public Instruction reported there were 200 deaf and hard of hearing students in the state. Approximately 25% of these students are served at MSDB in Great Falls. The other 75% are in their local communities. Last year the school audiologists of Montana reported that **600 Montana school children are wearing hearing aids**, as reported by Dr. Susan Kalarchick, Audiologist in her testimony to the legislature. (Please see the depressing educational outcomes for these children below.)
- 3) **Require that when a child's primary special education label is deaf or hearing impaired that the IEP team consider recommendations from someone who has training as a teacher of the deaf/hard of hearing or experience working with deaf and hard and hearing.** The person providing these recommendations could be an Outreach Consultant from MSDB or a person with this training who is already employed by the school district. Again, this Bill is intended to provide resources

to rural schools, at no additional cost to those schools, to assist them in providing appropriate services (Free Appropriate Public Education or "FAPE") to the deaf and hard of hearing students they are already serving. The Individuals with Disabilities in Education Act (IDEA) requires that someone with knowledge about the student's disability participate in their educational planning. Currently Montana says that audiologists or speech therapists meet the criteria of "someone with knowledge of the child's disability". Speech therapists and audiologists have been very vocal about their lack of training, education, and experience that leaves them *unqualified* to provide adequate information regarding educational planning for these students, especially if the student is profoundly deaf and uses an interpreter. (Again, refer to the educational outcomes below to see how challenging it is to educate deaf and hard of hearing children effectively.)

History of the Bill:

HB 354 is the result of a grassroots, citizens' movement. It was developed with input from the Montana Association of the Deaf, Montana Association of the Blind, Interpreters, Teachers, assistance from Bob Runkel, State Director of Special Education and Interim Assistant Superintendent of Public Instruction, Steve Gettel, Superintendent MSDB, and many, many, parents. It is based on the very successful "Braille Bill" that the Montana Legislature passed last session. The "Braille Bill" expanded services for Blind and Low Vision children and mandated standards for people teaching Braille and Orientation and Mobility. HB 354 also mimics activities that have taken place in surrounding states and across the nation to provide services to deaf and hard of hearing children in their home communities.

Representative Mary Caferro, Dem., Helena introduced the Bill in the House and Senator Dave Lewis, Rep., Helena sponsored the Bill and will carry it when it reaches the Senate.

On Friday, Jan. 26th HB 354 was introduced by Representative Caferro to the House Education Committee, Chairman Rick Jore and Vice-Chair Roger Koopman. No one spoke in opposition of the Bill. Many individuals provided, eloquent, thoughtful, and sometimes impatient, testimony regarding the need for HB 354. Proponents included: interpreters, deaf adults, MT Association of the Deaf (M.A.D.), parents, deaf/hard of hearing students, MT Association of the Blind (M.A.B.), School Administrators of Montana (S.A.M. - Director Darrell Rud's testimony was powerful), a school Principal, Montana Advocacy Program (MAP), audiologist, speech therapist, Post-Secondary Disability Providers, and other concerned individuals. Mr. Runkle, State Dir. Of Spec Ed provided valuable information and answered tough questions in order to assist the committee in making an informed decision. The Committee gave this Bill their complete attention, working into the evening asking thoughtful questions and exploring the ramifications of the HB 354 including need, benefits, and possible unintended consequences.

The House Education Committee met on Friday, February 9th and voted overwhelmingly to send HB 354 to the House Floor.

Statistics Related to HB 354:

WHEREAS, nationally, the majority of deaf and hard of hearing students are educated in their local school districts; and

WHEREAS, as stated in "Toward Equality", a report by the Commission on the Education of the Deaf, between the ages of 8 and 18, deaf and hard of hearing children go from a 1.3 grade reading level to a 2.8 grade reading level, representing only a 1 1/2 year gain in reading skills over a 10-year period; and

WHEREAS, 30% of deaf and hard of hearing children leave school functionally illiterate; and

WHEREAS, only 8% of deaf and hard of hearing children graduate from college; and

WHEREAS, approximately 33% of the deaf population rely on government assistance; and

WHEREAS, most school districts have no standards for signing skills; and

WHEREAS, as documented in "Skill Levels of Educational Interpreters Working in Public Schools", a report by the renowned researchers Schick and Williams, many deaf children receive an interpretation of classroom discourse that might inadequately represent the information being communicated, perhaps reflecting the facts that educational interpreting is still a relatively new discipline and that many school districts are unaware of the type of training and skills that are needed to serve as an educational interpreter; and

WHEREAS, there are approximately 200 deaf and hard of hearing students in Montana's public schools according to the "Special Education Report to the 2005 Montana Legislature".

